

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
MARQUI STEWART	:	VIOLATIONS: 21 U.S.C. § 846
KAREEM CLOUDEN	:	(Conspiracy to distribute
CHRIS GRIFFIN	:	cocaine base - 1 count)
	:	21 U.S.C. § 841(a)(1)
	:	(Possession with intent to distribute
	:	cocaine base - 2 counts)
	:	18 U.S.C. § 924(c)(1)
	:	(Possession of firearms in
	:	furtherance of drug trafficking
	:	felony - 1 count)
	:	18 U.S.C. § 2
	:	(Aiding and abetting)
	:	21 U.S.C. § 853
	:	18 U.S.C. § 924(d)
	:	28 U.S.C. § 2461(c)
	:	(Criminal forfeiture)
	:	(Notice of Prior Conviction)

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about the summer of 2001 to on or about June 26, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

MARQUI STEWART and
KAREEM CLOUDEN

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute and possess with intent to distribute more than 50 grams

of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

MANNER AND MEANS

2. It was part of the conspiracy that the defendants MARQUI STEWART and KAREEM CLOUDEN were partners and members of a drug distribution conspiracy which distributed cocaine base ("crack") from the street corner at 54th and Chancellor Streets in Philadelphia, Pennsylvania.

It was further a part of the conspiracy that:

3. The organization sold packets of cocaine base ("crack") on the street corner at 54th and Chancellor Streets in Philadelphia during daylight and evening hours on a daily basis.

4. Defendants MARQUI STEWART and KAREEM CLOUDEN were partners in the conspiracy and shared their profits from the sale and distribution of packets of cocaine base ("crack").

5. Defendants MARQUI STEWART and KAREEM CLOUDEN carried and possessed firearms to protect the profits of the drug organization and to defend their cocaine base ("crack") distribution location from other competing drug traffickers.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. In or about May and June 2002, defendants MARQUI STEWART and

KAREEM CLOUDEN jointly possessed with intent to distribute packets containing cocaine base ("crack") on the corner of 54th and Chancellor Streets in Philadelphia, Pennsylvania.

2. From on or about June 20, 2002, to on or about June 26, 2002, defendants MARQUI STEWART and KAREEM CLOUDEN obtained from a co-conspirator known to the grand jury more than 50 grams of recently manufactured cocaine base ("crack") at 6718 Media Street, Philadelphia, Pennsylvania.

3. On or about June 26, 2002, defendants MARQUI STEWART and KAREEM CLOUDEN possessed with intent to distribute more than 50 grams of cocaine base ("crack") at 6718 Media Street, Philadelphia, Pennsylvania.

4. In or about June 2002, defendants MARQUI STEWART and KAREEM CLOUDEN possessed, and aided and abetted the possession of, one or more of the following firearms: (a) one SKS .45 assault rifle bearing serial number RH612989, loaded with 23 rounds; (b) one Glock .45 caliber pistol bearing serial number DHU230, loaded with 10 rounds; (c) one Ruger 9mm pistol model P95-DC bearing serial number 311-42961, loaded with 10 rounds; (d) one Mossberg shotgun with a pistol grip bearing serial number K313606; (e) one Mossberg shotgun with a pistol grip with an obliterated serial number, loaded with four rounds; (f) one AK 47 assault rifle bearing serial number S301449-2000, loaded with 32 rounds; and (g) one HK .40 caliber pistol with an obliterated serial number, loaded with 13 rounds, in furtherance of jointly undertaken drug trafficking activity.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 26, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendants

MARQUI STEWART and
KAREEM CLOUDEN

knowingly and intentionally possessed with intent to distribute, and aided and abetted the
possession with intent to distribute of, more than 50 grams, that is, approximately 74.53 grams,
of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A) and
Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 26, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

CHRIS GRIFFIN

knowingly and intentionally possessed with intent to distribute, and aided and abetted the
possession with intent to distribute of, more than 50 grams, that is, approximately 79.99 grams,
of a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II
controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A) and
Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 26, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendants

MARQUI STEWART and
KAREEM CLOUDEN

knowingly possessed, and aided and abetted the possession of, a firearm, that is: (a) one SKS .45 assault rifle bearing serial number RH612989, loaded with 23 rounds; (b) one Glock .45 caliber pistol bearing serial number DHU230, loaded with 10 rounds; (c) one Ruger 9mm pistol model P95-DC bearing serial number 311-42961, loaded with 10 rounds; (d) one Mossberg shotgun with a pistol grip bearing serial number K313606; (e) one Mossberg shotgun with a pistol grip with an obliterated serial number, loaded with four rounds; (f) one AK 47 assault rifle bearing serial number S301449-2000, loaded with 32 rounds; and (g) one HK .40 caliber pistol with an obliterated serial number, loaded with 13 rounds, in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, possession with intent to distribute more than 50 grams of cocaine base ("crack") as charged in Count Two of this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 26, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

CHRIS GRIFFIN

knowingly possessed, and aided and abetted the possession of, a firearm, that is: (a) one SKS .45 assault rifle bearing serial number RH612989, loaded with 23 rounds; (b) one Glock .45 caliber pistol bearing serial number DHU230, loaded with 10 rounds; (c) one Ruger 9mm pistol model P95-DC bearing serial number 311-42961, loaded with 10 rounds; (d) one Mossberg shotgun with a pistol grip bearing serial number K313606; (e) one Mossberg shotgun with a pistol grip with an obliterated serial number, loaded with four rounds; (f) one AK 47 assault rifle bearing serial number S301449-2000, loaded with 32 rounds; and (g) one HK .40 caliber pistol with an obliterated serial number, loaded with 13 rounds, in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, possession with intent to distribute more than 50 grams of cocaine base ("crack") as charged in Count Three of this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

NOTICE OF PRIOR CONVICTION

Defendant MARQUI STEWART committed the offenses charged in Counts One, Two and Four of this Superseding Indictment after having been convicted in a court of the Commonwealth of Pennsylvania of the following felony drug offense:

1. Manufacture/Delivery/Possession with Intent to Manufacture/Deliver a Controlled Substance, a felony - Philadelphia County Common Pleas Docket, CP # 0201-0986.

NOTICE OF FORFEITURE

As a result of the violation of Title 21, United States Code, Sections 846 and 841(a)(1), as set forth in Counts One, Two and Three of this indictment,

MARQUI STEWART
KAREEM CLOUDEN and
CHRIS GRIFFIN

shall forfeit to the United States of America pursuant to Title 21, United States Code, Section 853, the following property:

A. All property derived from any proceeds which defendants MARQUI STEWART, KAREEM CLOUDEN and CHRIS GRIFFIN obtained, directly or indirectly, as a result of the violation of Title 21 as charged in this indictment, including, but not limited to: 1) the sum of \$1,320 in United States currency representing drug proceeds seized from the premises at 6718 Media Street, Philadelphia, Pennsylvania; and 2) the sum of \$835 in United States currency representing drug proceeds seized from the person of KAREEM CLOUDEN.

B. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants MARQUI STEWART, KAREEM CLOUDEN and CHRIS GRIFFIN,

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Section 924(c)(1), set forth in Counts Four and Five of this Indictment, the defendants

MARQUI STEWART
KAREEM CLOUDEN and
CHRIS GRIFFIN

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) one SKS .45 assault rifle bearing serial number RH612989, loaded with 23 rounds;
- (2) one Glock .45 caliber pistol bearing serial number DHU230, loaded with 10 rounds;
- (3) one Ruger 9mm pistol model P95-DC bearing serial number 311-42961, loaded with 10 rounds;
- (4) one Mossberg shotgun with a pistol grip bearing serial number K313606;
- (5) one Mossberg shotgun with a pistol grip with an obliterated serial number, loaded with four rounds;
- (6) one AK 47 assault rifle bearing serial number S301449-2000 loaded with 32 rounds; and
- (7) one HK .40 caliber pistol with an obliterated serial number, loaded with 13 rounds.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney